HB 133 would amend HRS 291 by adding a new section to limit the operation of sound amplification systems in motor vehicles to an area not more than 60 feet from any motor vehicle being operated on a highway or within a residentially zoned area. As stated in the bill, the purpose of the proposed law is to regulate excessively loud sound systems in motor vehicles.

Our statement on this bill does not represent an institutional position of the University of Hawaii.

HB 133 closely parallels a City and County of Honolulu Ordinance 90-26 passed in 1989 with the same general purpose. However, the City and County of Honolulu ordinance is considerably more stringent in its coverage. It applies to sound produced by any machine or device if it is located on any public property, such as sidewalks, parks or streets, or in motor vehicles. The applicable distance for the city ordinance is 30 feet in contrast to the 60 feet limitation in HB 133. The potential number of people affected by the amplified sound is significantly greater with the 60 feet limitation.

The penalty for violation of the city ordinance is a fine of $100 for the first offense, $500 for a second offense within 6 months and $1,000, or forfeiture of the sound system, or some combination of forfeiture and fine up to a maximum of $1,000, for a third offense within one year of the first offense. This contrasts with the $25 to $250 fine for violations pursuant to HB 133.

Because HB 133 allows counties to have stricter requirements than those proposed in this bill, passage of HB 133 will not have a direct impact on Oahu. We note that in areas of lower background noise, such as the neighbor islands, the 60 feet limitation may be even less appropriate. If a sound system unnecessarily amplifies sound to a distance far beyond the operators immediate vicinity, it reflects a deliberate source of environmental pollution (noise) to adjacent people and environments.